

2 AN ORDINANCE amending Ordinance No.
3 S-42-93, adopted May 18, 1993, being
4 "AN ORDINANCE concerning the
5 issuance of revenue bonds to refund
6 outstanding sewage works bonds of
7 the City of Fort Wayne, the
8 collection, segregation and
9 distribution of the revenues of said
10 works, the safeguarding of the
11 interests of the owners of said
12 revenue bonds, other matters
13 connected therewith, and repealing
14 ordinances in conflict therewith."

15 WHEREAS, the City of Fort Wayne, Indiana has
16 adopted Ordinance No. S-42-93, approved by the Common
17 Council of the City on May 18, 1993; and

18 WHEREAS, upon the advice of First Chicago
19 Capital Markets, Inc., underwriter for the bonds
20 authorized by said Ordinance No. S-42-93, this Council
21 deems it advisable to combine the last two maturities of
22 said bonds as a term bond maturing in 2010, subject to
23 mandatory sinking fund redemption in 2009, so that the
24 amount owed by the City for principal reduction in the
25 year 2009 shall be Four Hundred Ninety Thousand Dollars
26 (\$490,000), and the amount owed for principal reduction
27 in the year 2010 shall be Six Hundred Ten Thousand
28 Dollars (\$610,000).

29 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
30 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

31 SECTION 1. Amendments to Prior Ordinance.

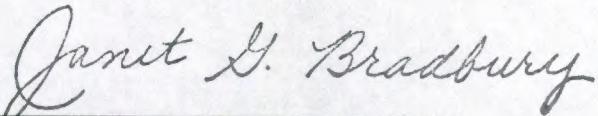
32 (a) The fourth line of the third paragraph of
33 Section 2 is amended by deleting the words "last day of
34 the month" and substituting therefor the words "fifteenth
35 day of the month".

36 (b) Exhibit A of Ordinance No. S-42-93 is
37 hereby amended by adding the following at the end
38 thereof: Notwithstanding anything herein to the contrary,
39 the 1993 Bonds maturing in the years 2009 and 2010 may be
40 aggregated into term bonds maturing in 2010. Such term
41 bonds will be subject to mandatory sinking fund

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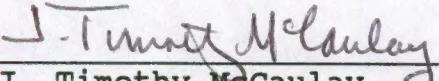
1 redemption with sinking fund payments corresponding to
2 the 2009 serial maturity plus accrued interest to the
3 redemption date, but without premium or penalty. Such
4 payments shall be applied to retire term bonds by lot.

5 **SECTION 2. Effectiveness.** Except as expressly
6 set forth herein, all of the terms and provisions of said
7 Ordinance S-42-93 shall remain in full force and effect.
8 This Ordinance shall be in full force effect from and
9 after its passage.

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12 Councilmember

13 APPROVED AS TO FORM
14 AND LEGALITY

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17 J. Timothy McCaulay
18 City Attorney

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100% Recycled
SOUTHWORTH CO., U.S.A.

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				
HENRY				<u>✓</u>
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 6-22-93

SANDRA E. KENNEDY, CITY CLERK

Sandra E. Kennedy

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION, NO. J-55-93 on the 22nd day of June, 1993

ATTEST:

(SEAL)

Mark P. GiaQuinta

PRESIDING OFFICER

Sandra E. Kennedy

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of June, 1993 at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of June, 1993, at the hour of 8:30 o'clock A. M., E.S.T.

Paul Helmke

PAUL HELMKE, MAYOR



THE CITY OF FORT WAYNE



Paul Helmke
Mayor

**MEMORANDUM
LAW DEPARTMENT**

TO: MEMBERS OF COMMON COUNCIL
FROM: J. TIMOTHY McCAULAY, CORPORATION COUNSEL
DATE: June 7, 1993
SUBJECT: AMENDING ORDINANCE S-42-93 TO REFUND OUTSTANDING SEWAGE WORKS BONDS

S-93-06-11

THIS AMENDMENT PROVIDES FOR THE LAST TWO MATURITIES TO BE COMBINED INTO A TERM BOND MATURING IN THE LAST YEAR. HOWEVER, THERE IS A MANDATORY SINKING FUND REDEMPTION IN THE SECOND TO LAST YEAR. THIS AMENDMENT WILL RESULT IN THE SAME AMOUNT OWED BY THE CITY IN EACH OF THE LAST TWO (2) YEARS. THE REASON FOR THE TERM BOND IS THAT CERTAIN INSTITUTIONAL INVESTORS PURCHASE BONDS ONLY IN PRESCRIBED MINIMUM AMOUNTS. BY COMBINING THESE TWO MATURITIES INTO ONE, FIRST CHICAGO, THE CITY'S UNDERWRITER, WAS ABLE TO SATISFY THAT MINIMUM. AS THE SAME AMOUNT WILL BE OWED IN EACH OF THE LAST TWO YEARS REGARDLESS OF WHETHER THIS COMBINATION IS MADE, THE ISSUE IS ONE OF FORM MORE THAN SUBSTANCE.

jtm:dcb

An Equal Opportunity Employer
One Main Street, Fort Wayne, Indiana 46802

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE CONTROLLER'S OFFICE

SYNOPSIS OF ORDINANCE THIS AMENDMENT PROVIDES FOR THE LAST TWO MATURITIES TO BE COMBINED INTO A TERM BOND MATURING IN THE LAST YEAR. HOWEVER, THERE IS A MANDATORY SINKING FUND REDEMPTION IN THE SECOND TO LAST YEAR. THIS AMENDMENT WILL RESULT IN THE SAME AMOUNT OWED BY THE CITY IN EACH OF THE LAST TWO (2) YEARS. THE REASON FOR THE TERM BOND IS THAT CERTAIN INSTITUTIONAL INVESTORS PURCHASE BONDS ONLY IN PRESCRIBED MINIMUM AMOUNTS. BY COMBINING THESE TWO MATURITIES INTO ONE, FIRST CHICAGO, THE CITY'S UNDERWRITER, WAS ABLE TO SATISFY THAT MINIMUM. AS THE SAME AMOUNT WILL BE OWED IN EACH OF THE LAST TWO YEARS REGARDLESS OF WHETHER THIS COMBINATION IS MADE, THE ISSUE IS ONE OF FORM MORE THAN SUBSTANCE.

EFFECT OF PASSAGE MATURITIES COMBINED.

EFFECT OF NON-PASSAGE MATURITIES NOT COMBINED. SALE OF BOND ISSUE JEOPARDIZED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE (PRESIDENT)

AN ORDINANCE amending Ordinance No. S-42-93, adopted May 18, 1993, being "AN ORDINANCE concerning the issuance of revenue bonds to refund outstanding sewage works bonds of the City of Fort Wayne, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, and repealing ordinances in conflict therewith."

WHEREAS, the City of Fort Wayne, Indiana has adopted Ordinance No. S-42-93, approved by the Common Council of the City on May 18, 1993; and

WHEREAS, upon the advice of First Chicago Capital Markets, Inc., underwriter for the bonds authorized by said Ordinance No. S-42-93, this Council deems it advisable to combine the last two maturities of said bonds as a term bond maturing in 2010, subject to mandatory sinking fund redemption in 2009, so that the amount owed by the City for principal reduction in the year 2009 shall be Four Hundred Ninety Thousand Dollars (\$490,000), and the amount owed for principal reduction in the year 2010 shall be Six Hundred Ten Thousand Dollars (\$610,000).

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

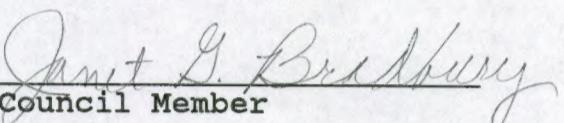
SECTION 1. Amendment to Prior Ordinance.

Exhibit A of Ordinance No. S-42-93 is hereby amended by adding the following at the end thereof: Notwithstanding anything herein to the contrary, the 1993 Bonds maturing in the years 2009 and 2010 may be aggregated into term bonds maturing in 2010. Such term bonds will be subject to mandatory sinking fund redemption with sinking fund payments corresponding to the 2009 serial maturity plus accrued interest to the redemption date, but without

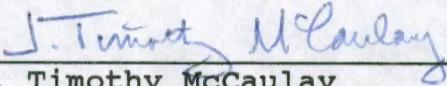
PAGE 2

1 premium or penalty. Such payments shall be applied to
2 retire term bonds by lot.

3 SECTION 2. Effectiveness. Except as expressly
4 set forth herein, all of the terms and provisions of said
5 Ordinance S-42-93 shall remain in full force and effect.
6 This Ordinance shall be in full force effect from and
7 after its passage and any and all necessary approval by
8 the Mayor.

9 
10 Council Member

11 APPROVED AS TO FORM
12 AND LEGALITY

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14 J. Timothy McCaulay
15 City Attorney

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Read the first time in full and on motion by Bradbury,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on City Utilities (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock M., E.S.T.

DATED: 6-8-83

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>LUNSEY</u>	_____	_____	_____	_____
<u>RAVINE</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____ SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19_____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

BILL NO. S-93-06-11 (as amended)

REPORT OF THE COMMITTEE ON
CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending Ordinance No.
S-42-93, adopted May 18, 1993, being "AN ORDINANCE concerning
the issuance of revenue bonds to refund outstanding sewage
works bonds of the City of Fort Wayne, the collection,
segregation and distribution of the revenues of said works,
the safeguarding of the interests of the owners of said revenue
bonds, other matters connected therewith, and repealing
ordinances in conflict therewith"

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~(RESOLUTION)~~

DO PASS DO NOT PASS ABSTAIN NO REC

DATED: 6-22-93.

Sandra E. Kennedy
City Clerk